

April 28, 2009

Public Hearing: Sign Ordinance Variance V09-0004
Owner(s): Frisco Independent School District

DESCRIPTION:

A request for a variance to the Sign Ordinance to allow for an electronic Variable Message Monument Sign at the Hunt Middle School on the east side of Legendary Drive, 1,500± feet south of Lebanon Road, Legendary Middle School Addition, Block A, Lot 1. Zoned Commercial-1. Neighborhood #30. SI

HISTORY:

V07-0024. FISD requested a variance to allow for electronic variable message monument signs at 18 elementary schools, three middle schools, and the District Athletic Center. At their November 27, 2007 meeting the Commission approved the request, 4-3, with the following conditions:

1. Hours of the electronic signs are limited to the hours between 7:00 a.m. to 8 p.m.;
2. At 6:00 p.m. the brightness of the signs shall be dimmed to a lower level by 50%; and
3. After one year, staff will re-evaluate whether the signs are not a disturbance to neighbors or drivers. FISD shall comply with any new conditions regarding the hours of operation and brightness as a result of the review by the Planning & Zoning Commission in June 2008.

FISD appealed this decision and the City Council heard the appeal at their January 15, 2008 meeting. The City Council approved the appeal, 6-0, with the following conditions:

1. Hours of the electronic signs are limited to the hours between 7:00 a.m. to 10 p.m.;
2. At 6:00 p.m. the brightness of the signs shall be dimmed to a lower level by 50%; and
3. After one year, staff will re-evaluate whether the signs are not a disturbance to neighbors or drivers. FISD shall comply with any new conditions regarding the hours of operation and brightness as a result of the review by the Planning & Zoning Commission in June 2008.

V08-0007. FISD requested a variance to allow for an electronic variable message monument signs at the Early Childhood School. At their June 10, 2008 meeting the Commission approved the request, 3-1 with the following conditions:

1. Hours of the electronic signs are limited to the hours between 7:00 a.m. to 10 p.m.;
2. At 6:00 p.m. the brightness of the signs shall be dimmed to a lower level by 50%; and
3. After one year, staff will re-evaluate whether the signs are not a disturbance to neighbors or drivers. FISD shall comply with any new conditions regarding the hours of operation and brightness as a result of the review by the Planning & Zoning Commission in June 2008.

June 24, 2008. Staff reported to the Commission that neither the City nor FISD had received any complaints regarding the variable message signs and staff recommended that the Commission not take any further action regarding these signs. The Commission took no further action.

REMARKS:

The applicant, Frisco Independent School District (FISD), has submitted a sign variance request for the Lamar and Norma Hunt Middle School. The sign is to be located on Legendary Drive which is not a major thoroughfare and causes the need for a variance. The site plan and final plat for this site was approved by the Commission on August 26, 2008. The proposed sign is of the same type and size as the signs that were approved in 2008 and which have been installed at numerous FISD facilities.

The Sign Ordinance limits Variable Message Monument Signs to properties located on major thoroughfares or greater, as designated by the City's Thoroughfare Plan, so that residents living along smaller streets are not disturbed by the light of the display and drivers are not distracted by reading signage. However, at this specific site all of the surrounding property is zoned non-residential and is occupied by non-residential uses.

The Sign Ordinance states the Commission shall determine that a request meets three of the following four criteria in order to approve a variance request. The four criteria are as follows with staff's comments on each of the criteria.

1. The proposed sign shall not adversely impact the adjacent property (visibility, size, etc.).

Staff agrees that the proposed sign will not have an adverse impact upon adjacent properties. The hours of use can be limited as can the brightness of the display.

2. The proposed sign will be of a unique design or configuration.

The proposed signage is a unique design. The digital format is new technology for the district and allows the district staff to communicate more effectively and efficiently with parent and community member around these facilities. The display will remain static for not less than 15 seconds per the Sign Ordinance.

3. The special exception is needed due to restricted area, shape, the topography, or physical features that are unique to the property on which the proposed sign would be erected.

There are no site restrictions due to area, shape, topography or other physical features.

4. The special exception will substantially improve the public convenience and welfare and does not violate the intent of this ordinance.

The applicant indicates that the proposed sign will improve the public convenience and welfare by allowing the school district to update the display with important information to the public. Staff agrees with this statement.

In order to meet the intent of the Ordinance as well as provide an efficient way for FISD to communicate to the public, staff would recommend approval subject to the same conditions that have been placed on the other FISD variances:

1. Hours of the electronic sign are limited to the hours between 7:00 AM to 10:00 PM;
2. At 6:00 PM the brightness of signs shall be dimmed to a lower level by 50%; and

It is staff's opinion that the request does meet three of the four criteria specified by the Ordinance.

RECOMMENDATION:

Staff recommends approval of the variance request with the following conditions:

1. Hours of the electronic sign are limited to the hours between 7:00 AM to 10:00 PM; and
2. At 6:00 PM the brightness of signs shall be dimmed to a lower level by 50%.